

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY L SCHUTT,

Plaintiff,

vs.

LINCARE, INC., AND LINCARE
HOLDINGS, INC., A Delaware
Corporation;

Defendants.

4:14CV3229

ORDER

The parties' motion, (Filing No. 38), is granted, and the progression schedule is amended as follows:

- 1) The jury trial of this case is set to commence before Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on June 19, 2017, or as soon thereafter as the case may be called, for a duration of seven (7) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on May 30, 2017 at **11:00 a.m.**, and will be conducted by telephonic and internet conferencing. Counsel shall use the conferencing codes assigned to this case (see filing no. 24), to participate in the conference. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on May 26, 2017.
- 3) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is November 30, 2016. Motions to compel Rule 33 through 36 discovery must be filed by January 16, 2017. Note; Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference discussing the parties' dispute.
- 4) The deposition deadline is January 31, 2017.

- 5) The deadline for filing motions to dismiss and motions for summary judgment is February 28, 2017.
- 6) **This being the third continuance of the scheduling order, no additional continuances will be granted absent a substantial showing of good cause.**

Dated this 24th day of September, 2016

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge